RESOLUTION GOVERNING QUESTIONING
OF WITNESSES BY MEMBERS OF THE
COMMISSION STAFF

Pursuant to Executive Order No. 11130, November 29, 1963, which authorizes this Commission "to prescribe its own procedures," it is therefore

Resolved, that the following are hereby adopted as the rules of this Commission for the questioning of witnesses by members of the Commission staff.

I. Sworn Depositions

A. Individual members of the staff are hereby authorized to administer oaths and affirmations, examine witnesses, and receive evidence in the form of sworn depositions on any matter under investigation by the Commission.

B. Such sworn depositions may be taken only from witnesses designated in writing for questioning in this manner by the Commission, by a member of the Commission, or by the General Counsel of the Commission.

C. A stenographic verbatim transcript shall be made of all sworn depositions. Copies of the witness' testimony shall be available for inspection by the witness or his counsel. When approved by the Commission, said copies may be purchased by the witness or his counsel at regularly prescribed rates from the official reporter.

D. Process and papers of the Commission issued under Paragraph (d) of Joint Resolution S. J. 137, 88th Cong., 1st Sess., shall be returnable no less than three days from the date on which such process or papers are issued, and shall state the time, place, and general subject matter of the deposition. In lieu of such process and papers, the Commission may request the presence of witnesses and production of evidence for the purpose of sworn depositions by written notice mailed no less than three days from the date of the deposition.

E. The period of notice specified in Paragraph D may be waived by a witness.

F. A witness at a sworn deposition shall have the right to be accompanied by counsel of his own choosing, who shall have the right to advise the witness of his rights under the laws and Constitution of the United States, and the state wherein the deposition shall occur; and to make brief objections to questions. At the conclusion of the witness' testimony, counsel shall have the right to clarify the testimony of the witness by questioning the witness.

G. At the opening of any deposition a member of the Commission's staff shall read into the record a statement setting forth the nature of the Commission's inquiry and the purpose for which the witness has been asked to testify or produce evidence.

H. Any witness who refuses to answer a question shall state the grounds for so doing. At the conclusion of any deposition in which the witness refuses to answer a question the transcript shall be submitted to the General Counsel for review and consideration whether the witness should be called to testify before the Commission.

II. Sworn Affidavits

A. Members of the Commission staff are hereby authorized to obtain sworn affidavits from those witnesses who have been designated in writing by the Commission, a member of the Commission, or the General Counsel of the Commission as witnesses whose testimony will be obtained in this manner.

B. A copy of the affidavit shall be provided the affiant or his counsel.